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BIO INTELLECTUAL PROPERTY SERVICES (BIO IPS) LLC
8509 KERNON CT.
LORTON VA 22079

In re Application of :
Howard J. Smith :
Serial No.: 10/568,176 : SUSPENSION OF ACTION
Filed: November 30, 2006 :
Attorney Docket No.: P1119/20001 :
:

This is in reply to the petition under 37 CFR 1.103(a) to suspend action in this application at applicant's request for a six month period of time, filed February 23, 2009.

BACKGROUND

Applicants request prosecution in this application be suspended for six months so that applicants can make a determination of whether animal studies are feasible in order to go forward with comparative studies.

DISCUSSION

§ 1.103 Suspension of action by the Office.

(a) Suspension for cause. On request of the applicant, the Office may grant a suspension of action by the Office under this paragraph for good and sufficient cause. The Office will not suspend action if a reply by applicant to an Office action is outstanding. Any petition for suspension of action under this paragraph must specify a period of suspension not exceeding six months. Any petition for suspension of action under this paragraph must also include:

- (1) A showing of good and sufficient cause for suspension of action; and
- (2) The fee set forth in § 1.17(h), unless such cause is the fault of the Office.

Applicants have replied to the last Office action by filing an appropriate response. Applicants have shown good and sufficient reason for suspension.

DECISION

In view of the above, the petition for suspension of action is **GRANTED** for a period of six months from the date of mailing of this decision.

Should applicant obtain the requisite data prior to the expiration of the period of suspension, a submission of the results should be promptly forwarded to the Office so that prosecution may be resumed.

Should there be any questions with respect to this action, please contact the examiner or Marianne Seidel, by mail addressed to: Director, Technology Center 1600, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission at Office general facsimile number, 571-273-8300.



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